

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>CHRIN HAULING, INC., et al.,</b>	:	
Plaintiffs,	:	
	:	
v.	:	<b>Civil No. 5:21-cv-03328-JMG</b>
	:	
<b>JAMES T. CHRIN,</b>	:	
Defendant.	:	

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**ORDER**

**AND NOW**, this 23<sup>rd</sup> day of October, 2023, upon consideration of Plaintiffs' Motion for Partial Summary Judgment (ECF No. 63), Defendant's Opposition to Partial Summary Judgment (ECF No. 67), Plaintiffs' Reply in Support of Summary Judgment (ECF No. 71), Defendant's Refiled Motion for Summary Judgment (ECF No. 64), Plaintiffs' Opposition to Summary Judgment (ECF No. 69), Defendant's Reply in Support of Summary Judgment (ECF No. 73), Defendant's Motion for Partial Summary Judgment on Lanham Act Claims (ECF No. 61), Plaintiffs' Opposition to Partial Summary Judgment on Lanham Act Claims (ECF No. 70), and any exhibits attached thereto, and for the reasons provided in the accompanying Memorandum Opinion,

**IT IS HEREBY ORDERED** that Defendant's Refiled Motion for Summary Judgment (ECF No. 64) is **GRANTED in part**.

- a. Defendant's Refiled Motion for Summary Judgment is **GRANTED** as to Count I. There is no genuine dispute as to any material fact regarding Plaintiffs' failure to establish a valid and legally protectable mark under the Lanham Act.
- b. Judgment is **ENTERED** in favor of Defendants and against Plaintiffs as to Count I.
- c. The Court declines to exercise supplemental jurisdiction over Plaintiffs' remaining state law claims (Counts II, III, and IV), and they are **DISMISSED without prejudice**.

**IT IS FURTHER ORDERED** that Defendants' Motion for Partial Summary Judgment on Lanham Act Claims (ECF No. 61) is **DENIED**.

**IT IS FURTHER ORDERED** that Plaintiffs' Motion for Partial Summary Judgment (ECF No. 63) is **DENIED**.

BY THE COURT:

*/s/ John M. Gallagher*  
JOHN M. GALLAGHER  
United States District Court Judge